

SM

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

MARSHALL BATES

1:21-cv-06099

Judge Charles P. Kocoras

Magistrate Judge Maria Valdez

RANDOM

Plaintiff(s),

v.

EUVISION unlimited INC

Individual capacity and official
Capacity president Mark Hugh
Individual capacity official capacity
Defendant(s).
Supervisor Jackie Steward
Individual capacity official capacity

Resident supervisor Jasmine Jones
Individual capacity official capacity
House Manager Latrice Individual
Capacity and official capacity
union Rep Joyce Montgomery
Individual capacity official capacity

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is MARSHALL BATES of the
county of COOK in the state of ILLINOIS.

3. The defendant is EUVISION unlimited INC, whose
street address is 8 S. Michigan Ave # 1700,
(city) chicago (county) COOK (state) IL (ZIP) 60603
(Defendant's telephone number) (312) - 296 8650

4. The plaintiff sought employment or was employed by the defendant at (street address)

8 S. Michigan Ave # 1700 (city) chicago
(county) COOK (state) IL (ZIP code) 60603

RECEIVED

NOV 15 2021 JMC

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☐ was hired and is still employed by the defendant.
- (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) 9/27/2020, (day) 27, (year) 2020.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

- (a) The defendant is ~~not~~ a federal governmental agency, and the plaintiff [*check one box*] ☒ has ☐ has not filed a charge or charges against the defendant

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☐ the United States Equal Employment Opportunity Commission, on or about (month) September (day) 9 (year) 2021.
- (ii) ☐ the Illinois Department of Human Rights, on or about (month) NA (day) NA (year) NA.

- (b) If charges ~~were~~ filed with an agency indicated above, a copy of the charge is attached. ☒ Yes, ☐ No, **but plaintiff will file a copy of the charge within 14 days.**

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month) September (day) 27 (year) 2020

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month) September
(day) 9 (year) 2021.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ Yes ☐ No, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☒ Yes ☐ No, but a copy will be filed within 14 days.

8. (Complete paragraph 8 only if defendant is not a federal governmental agency.)

(a) ☒ the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b) ☐ the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on (month) September (day) 9 (year) 2021 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [**check only those that apply**]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☒ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☒ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)

10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).

11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.

12. The defendant [**check only those that apply**]

- (a) ☐ failed to hire the plaintiff.
- (b) ☐ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ failed to stop harassment;
- (g) ☒ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☒ other (specify): The Agency has Constitutional policies and practices, which are made up, and they go alone Against employee's

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

The above parties conspired to deny me due process, and equal protection of the law. They violated their own policies, procedures, Rules, and Regulation, on investigating a matter by calling the plaintiff in for a disciplinary hearing

13. The facts supporting the plaintiff's claim of discrimination are as follows:

on 9/27/20 the plaintiff was working the 3rd shift, and the plaintiff was falsely fired. The union is payed out of my check to Represent the plaintiff against the "Company" (ENVISION unlimited. INC) The plaintiff States was falsely

14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☐ Yes ☐ No

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff **[check only those that apply]**

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☒ Direct the defendant to re-employ the plaintiff.
- (c) ☒ Direct the defendant to promote the plaintiff.
- (d) ☒ Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ Direct the defendant to (specify): To follow there policies
procedures, and Regulation, and to pay the
plaintiff for pain and suffering.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

ACCUSED OF ABANDONING THE RESIDENTS ON 81st WASHTENAW which is a care facility for the mental challenged.

THIS INCIDENT ALLEGEDLY HAPPENED AT 10/3/20, WHICH WAS REPORTED BY MY HOUSE MANAGER LATRICE WHO WAS SUPPOSE TO BE ON VACATION.

THE DATE OF 10/3/20 THE PLAINTIFF "BATES" WITNESSED THE HOUSE MANAGER "LATRICE" (WHICH WAS SUPPOSE TO BE ON VACATION) WAS STEALING FOOD FOR THE CARE FACILITY WHICH WAS 81st WASHTENAW.

THE PLAINTIFF SAW THE ABOVE DEFENDANT STEALING FOOD, AND LOADING HER VEHICLE, WHICH SHE HAD HER GIRLFRIEND, AND HER DOG WITH HER. THIS WAS THE SECOND TIME THE HOUSE MANAGER LATRICE STOP AT THE CARE FACILITY BEFORE NOON.

THE PLAINTIFF "MARSHALL BATES" WATCH THE HOUSE MANAGER "LATRICE" THE ENTIRE TIME LOADING HER VEHICLE UP.

THE PLAINTIFF STATE "LATRICE" DIDN'T NOTICE I WAS WATCHING HER DUE TO THIS I REPORTED HER CONDUCT TO ANOTHER STAFF MEMBER WHO CAME TO RELIEVE ME OF MY SHIFT.

THE PLAINTIFF STATES BECAUSE "LATRICE" WAS ON VACATION I WAS TAKING HER SHIFT, AND I ASKED HER DID SHE WANT TO WORK HER SHIFT, AND IF NOT, WHAT WAS "SHE" DOING AT THE RESIDENTS, AND SHE SAID NOTHING WHICH HAD TO DO WITH HER DUTIES / SO THIS WAS A PERSONAL VISIT.

AFTER This incident Zhavias had past, and I was Relieved of my staff entitled duties. The plaintiff Reported the Incident to the Co-worker whom Relieved me to watch out because "Latrice" Keeps coming over Stealing food then I went home.

on October 13, 2020 I The plaintiff was Told to meet Jazmin Jones at FRICK Location for 11:30 am. I arrived with my Representative Malik-el Shabazz and was Terminated. The Representative is A parlagel, and informed MS. Jazmin Jones That she was violation his due Process Rights, because the plaintiff was Afforded A hearing nor was He wroteup by AN employee on A Incident Report.

MS. Jazmine Jones IS A Supervisor, and at all times should have known the policies, and procedures of The Company, but she informed the plaintiff that she was following orders from Jackie Steward which is Her Supervisor.

MS. Jazmine Jones informed the plaintiff "she" was on the phone with "Latrice" when "she" was Stealing food, and heard me Answer the house manager when she ASKed me where I was coming from. I informed her I Told house manager this because I seen her taking food from the Residents.

plaintiff's spouse was to house manager I just came from Dunkin Donuts, but IN Actuality I was moving my car out of the spot, because I couldn't park their OR RISK getting A citation.

After this all happen a week later I was contacted by the Attorney general investigator Yvette Harris contacted me on 10/21/20 About Case no. 1621-0087 and later sent a Letter on 11/20/20 with the findings. Due to short staff I never received the letter so I emailed Yvette Harris several times "she" stated that they would Resend in the mail but couldn't email it. Yvette Harris had Victor email me on 11/17/20 but I couldn't open the file.

MARSHALL Bates misconduct Determination

11/17/20 the following determination was made in connection with the claim for unemployment insurance benefits. Based on all determinations your claim, you are eligible for benefits.

ISSUE 012-602A- misconduct
Allow Effective 9/27/20
was the claimant discharged for
misconduct connected with the work?

The evidence shows the claimant was discharged from ENVISION unlimited, INC because of reason that were not disclosed to this Agency from parties. Since the claimant Action, which resulted by the individual following warning or explicit instructions, claimant is not ineligible for benefits from 9/27/20 in regards to issue.

THE Plaintiff states all parties had full knowledge of the incident, and knew they were violation my RIGHTS To Due process, and Equal protection of the Law, and Turned A Blind eye to misconduct, and Abuse of power.

The union Joyce Montgomery had A Responsibility to petition the Company by filing grievance, and Addressing employment RIGHTS Violations In this case She did Nothing.

Respectfully Submitted

A handwritten signature, possibly reading "D. O.", written in dark ink.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

- _____
- _____
- _____
- (g) ☐ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☐ Grant such other relief as the Court may find appropriate.



(Plaintiff's signature)

Marshall Bates

(Plaintiff's name)

7605 S. Bishop st

(Plaintiff's street address)

(City) chicago (State) IL (ZIP) 60620

(Plaintiff's telephone number) (312) - 868-5358

Date: _____

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]